

Serial No.: 10/750,769  
Docket No.: 101-1010  
Amendment dated September 19, 2008  
Reply to the Office Action of June 19, 2008

## **REMARKS**

### **Introduction**

Applicant notes with appreciation the Examiner's indication that claims 2-19 would be allowable if rewritten in independent form. Applicant also notes with appreciation the Examiner's indication that each of the references cited in the Information Disclosure Statement of March 16, 2006, June 7, 2005, October 12, 2004 and January 5, 2004 have been considered.

Upon entry of the foregoing amendment, claims 1-19 are pending in the application. Claims 2, 3, 9, 14, and 15 have been amended. Claim 1 has been cancelled and claims 20-34 have been withdrawn. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

### **Objections**

#### **Claim 14**

The Examiner has objected to claim 14 due to informalities. In particular, the Examiner states that in line 4, the word "perceiving" is a typographical error and should be corrected.

In response, Applicant has amended claim 14 to address the Examiner's concerns and to expedite prosecution for the above-identified patent application. In particular, the Applicant has replaced the word "perceiving," with the word "receiving."

### **Rejection under 35 USC §103**

Claim 1 has been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,894,798 to Yashiki (hereinafter "Yashiki") in view of U.S. Patent No. 6,958,823 to Terasaka (hereinafter "Terasaka"). Applicant respectfully traverses this rejection for at least the following reasons.

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a. Independent claim 1:

With respect to independent claim 1, on pages 2-4 of the Office Action mailed on June 19, 2008, the Examiner alleges that Yashiki discloses all the limitations recited in this claim except for "converting the stored facsimile data into a form of an electronic mail and transmitting the converted data to the mail server, if the amount of the received facsimile data is more than the predetermined amount or if the facsimile data is completely received." However, the Examiner further alleges that Terasaka discloses all of the limitations which are lacking in Yashiki.

However, Applicant respectfully submits that independent claim 1 has been cancelled, rendering the rejection thereto moot.

**Allowable claims**

Claims 2-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully agrees with the Examiner.

a. Claims 2 and 9

With respect to dependent claims 2 and 9, Applicant respectfully submits that dependent claims 2 and 9 have been rewritten in independent form, thereby rendering the objections to claims 2 and 9 moot.

b. Claims 3-8 and 10-19

With respect to dependent claims 3-8 and 10-19, it is respectfully submitted that for at least the reason that claims 3-8 and 10-19 respectively depend from independent claim 2 and 9, which are allowable for at least the reasons provided above, and therefore contain each of the features as recited in independent claim 2 or 9, claims 3-8 and 10-19 are allowable over Yashiki and Terasaka, either alone or in combination. Accordingly, withdrawal of this objection and allowance of these claims are respectfully solicited.

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**Conclusion**

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

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